

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MARCH 25, 2021

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Mayor Adams

Pledge of Allegiance: Councilwoman Ball

Present at City Hall and Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Glenn Dayley, Connie Fogle, and Catherine Nielsen; Public Works Director Arlynn Jacobson; Code Enforcement Officer Jon Turner; City Building Inspector and P&Z Administrator Quinton Owens; Chairman Dave Thompson of the Planning and Zoning Commission; City Engineer Dick Dyer; Attorney Chase T Hendricks; Old Farm Estates Developers Jeff and Ryan Lerwill; Madison County Commissioner Brent Mendenhall; Citizens Cindy Hill, Barbara Lusk, Jill Moss, Lawrence Nielsen, Necia, and others who joined electronically but not identified.

CONSENT AGENDA: The minutes were removed from the Consent Agenda.

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to approve the 3-11-21 Minutes as revised; motion carried.

PUBLIC WORKS REPORT: Arlynn Jacobson reported on the following items:

New Well System: The booster pump for the new well is installed, tested, and ready. The city is still waiting on the SCADA system installation which is making some progress.

Basic American Foods Waste Water Line: A new partial line is being installed on S 7th West just south of the North Teton River for the Basic American Foods waste water line which is leaking at the 90 degree joint turns. The new line will take out the joints. The area of digging is within the city limits. Larry Voss Construction will obtain an Excavation Permit for the project.

PLANNING AND ZONING REPORT: Dave Thompson reported on the following items.

Comprehensive Plan Survey: A preliminary survey report was given to the council for review. However, some of the survey result percentages will need to be corrected. Mr. Thompson will work on getting the final results for the council soon.

Old Farm Estates Development Agreement Public Hearing: The commission worked into the early morning hours after the public hearing to get the OFE Development Agreement Findings of Fact ready for the council packets. They had several concerns and recommended a work meeting with the Council to work out the details (see Attachment #1).

PUBLIC COMMENT:

County Commissioner Brent Mendenhall: Mr. Mendenhall expressed appreciation for Sugar City's growth, direction, and abilities. The county commission discussed the possibility of working with Sugar City at their Monday meeting.

GENERAL BUSINESS:

Committees: The council will continue to review the code revisions for any minor changes. Councilwoman Fogle has another possible new committee member for the clerk to set an appointment to meet with the mayor.

Training Meetings:

AIC Spring Training – Idaho Falls – April 28, 2021 – all council members and the mayor have a reserved seat at the training meeting.

AIC Annual Conference – Boise – June 16- 18, 2021 – Councilwoman Nielsen is planning on attending the conference. The clerk will check to see if virtual attendance is possible.

CALENDARED ITEMS:

Second Discussion –

Committee Code Revisions: No report.

Street Sweeping Code Additions: The council had some concerns on vehicle removal for street sweeping. It was explained that vehicle removal would be used only if needed. The code needs to be enforceable.

Third Discussion -

Dog Licensing Procedure Code Revisions:

MOTION: It was moved by Councilman Dayley and seconded by Councilwoman Fogle to set a public hearing date for Thursday, April 22, 2021 for the dog licensing code and fee revisions; motion carried.

EXECUTIVE SESSION (Real Property Interest Acquisition Deliberations (Idaho Code 74-

206(1)(c): The council chose not to go into executive session to discuss property transfer in conjunction with the Old Farm Estate Development Agreement.

OLD FARM ESTATES DEVELOPMENT AGREEMENT: The public hearing was held on April 1st and though instructed by the mayor to have the Findings of Fact and Recommendations turned in the next day, the commission could not reasonably do so. Comments of concern were given by P&Z and city staff. The mayor suggested that rather than accepting the commission's recommendation, that he work out the development agreement issues with a few key people and the Lerwills. After stating their concerns, the council agreed to move forward, requesting that a viable master plan, as per City Code 10-3-5 (6), be included with the development agreement. A complete document will be presented to the council for their review and approval before a public hearing is held.

OLD FARM ESTATES DIVISION #4 FINAL PLAT: No report.

MAYOR AND COUNCIL REPORTS: Councilwoman Nielsen reported on the following items:

Rexburg Wastewater Plant Tour: Councilwoman Nielsen was impressed on her tour of the Rexburg wastewater plant and feels that Sugar City sewer fees go a long way to produce an AAA facility that produces free garden fertilizer. She agrees it would be better to operate as a sewer district rather than a contributor only. Mr. Jacobson can set up more tours if others are interested.

City Easter Egg Hunt: The Easter Egg Hunt is scheduled to start Saturday, April 3 at 12:30 pm. Several businesses have donated towards the event. The eggs are bagged and will be handed out to the children at the event.

Meeting adjourned at 8:35 p.m.

Signed: _____
Steven Adams, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

**Before the City of Sugar City
Planning and Zoning Commission**

- b. Testimonies of those in neutral position stated: None
- c. Testimonies of those in opposition stated:
 - see attached submittals (exhibit C) – notes will be brought/provided to the joint work meetings needed for editing the Development Agreement moving forward.
 - Some of the major concerns include but are not limited to: water rights, open space, roads, master plan, inaccessibility to parks, discounts migrating to division 4, and wastewater development fees repurposed twice.

8. The Commission's concerns and questions were as follows in the conclusions of law.

CONCLUSIONS OF LAW

The Development Agreement shall be reviewed for compliance with the Comprehensive Plan at the future joint meetings with City Council, P&Z, and staff.

The Development Agreement shall be reviewed for compliance with city code at the future joint meetings with City Council, P&Z, and staff.

The Sugar City Planning and Zoning Commission concluded regarding the new Development Agreement that: The commission listed as points of concern to be addressed by city council.

1. All staff review comments (exhibit B)
2. Public hearing input (exhibit C)
3. Summary of P&Z commission's deliberations will be brought to joint meetings included but not limited to:
 - a. Oversight rather than verifying compliance
 - b. Temptation to cut corners due to the numerous concerns and history
 - c. Pressure to act is not conducive to the best interest of Sugar City.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Concluding all of the above, the Sugar City Planning and Zoning Commission recommends the City Council convene a joint meeting with Planning and Zoning members and city staff to work towards editing the submitted development agreement considering input from public hearing, staff reviews, and the commission's findings. A master plan is to be developed to coincide and reflect the activities, current conditions, and future development in Old Farm Estates. The development agreement must be completed if any new development or building in Old Farm Estates is to be approved. All new construction will be built and developed exactly to city code. New development agreement shall indicate all agreed-to cost sharing and break it out in tabular format by each cost shared infrastructure: water, sewer, open space, and roads. If the joint meetings are not conducted with all parties, then a complete compiled list by P&Z must be reviewed by the city council before moving forward to public hearing. P&Z will require

time to compile public hearing, staff review, and commissioners' notes and input. City staff will prepare a working draft document for said meeting.

Signed and dated this 19th day of March 2021

By:

Chairman, Planning and Zoning
Commission

Attest:

City Deputy Clerk